

**IN THE UNITED STATES DISTRICT COURT
FOR THE SOUTHERN DISTRICT OF TEXAS
HOUSTON DIVISION**

DUANE REED,

Plaintiff,

v.

ALLY FINANCIAL, INC, JP MORGAN
CHASE BANK, N.A., FIFTH THIRD BANK,
N.A., and HOUSTON MAC HAIK DODGE
CHRYSLER JEEP LTD

Defendants.

Case No. 4:22-cv-03174

**DEFENDANT ALLY FINANCIAL INC.’S
MOTION FOR JUDGMENT ON THE PLEADINGS**

Defendant Ally Financial Inc. (“Ally”), by counsel and pursuant to Rule 12(c) of the Federal Rules of Civil Procedure, submits this Motion for Judgment on the Pleadings (“Motion”) in response to in response to the Amended Complaint filed by Plaintiff Duane Reed (“Plaintiff”). ECF No. 33.

For the reasons set forth in the accompanying Memorandum in Support, Ally respectfully requests that the Court grant its Motion because the Amended Complaint fails to state a plausible claim for relief as a matter of law, dismiss the Amended Complaint with prejudice as against Ally, and grant Ally such other and further relief as this Court deems appropriate and just.

Dated: March 30, 2023

Respectfully submitted,

Ally Financial Inc.

By: /s/ Ethan G. Ostroff

Ethan G. Ostroff, Esq.

Attorney-in-Charge

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Attorney for Ally Financial Inc.

CERTIFICATE OF SERVICE

I hereby certify that this *Motion for Judgment on the Pleadings* was electronically filed with the Clerk using the CM/ECF system, which will send a notice of electronic filing to all registered users of the CM/ECF system.

Dated: March 30, 2023

/s/ Ethan G. Ostroff
Ethan G. Ostroff